IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRI.APPLICATION NO. 5401 OF 2004

Prashant Vilas Yerunkar ..Applicant.

V/s.

Kaveri Ankush Topne & Anr. ..Respondents.

Shri V.H. Kamdi for Applicant.
Mrs. P.P. Kakade for Respondent No.1.
Shri R.Y. Mirza, APP for Respondent No.2.

CORAM : A.M.KHANWILKAR, J.
DATED : DECEMBER 16, 2004

PC :-

. Heard counsel for the parties.

2. Rule. Rule made returnable forthwith. Mrs. Kakade waives notice for Respondent No.1. Shri Mirza, APP waives notice for Respondent No.2.

3. As short question is involved, the petition is taken up for final disposal by consent.

4. A criminal action has been instituted against the petitioner/applicant pursuant to the complaint lodged by Respondent No.1 being FIR/C.R.No. 611, registered with Matunga Police Station being Sessions

Case No. 146/2002. Respondent No.1 is personally present in the court. Respondent No.1 has now married the Petitioner and they are happily staying together. Respondent No.1 has no intention to pursue the criminal action instituted by her. In the peculiar circumstances, in the interest of justice, the appropriate course to my mind is to accede to the request for quashing of the criminal action pending against the petitioner. Accordingly, this petition/application succeeds in terms of prayer clause (a).

5. Rule made absolute in the above terms. Authenticated copy be issued.

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